

# MEMO ENDORSED

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April 22, 2022

**BY ECF**

Hon. Lewis A. Kaplan  
U.S. District Court for the Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *In Re: Customs and Tax Administration of the Kingdom of Denmark*  
(*Skatteforvaltningen*) Tax Refund Scheme Litigation, 18-md-2865 (LAK)

Dear Judge Kaplan:

I write on behalf of SKAT and the bellwether defendants to request jointly that the Court grant the parties leave to file briefs in connection with their forthcoming omnibus motions for summary judgment of not more than the number of pages indicated below:

- |                              |           |
|------------------------------|-----------|
| • Defendants' opening brief: | 100 pages |
| • SKAT's opposition:         | 100 pages |
| • Defendants' reply brief:   | 50 pages  |
| • SKAT's opening brief:      | 65 pages  |
| • Defendants' opposition:    | 65 pages  |
| • SKAT's reply brief:        | 30 pages  |

In any event, the parties agree that their opposition briefs shall not exceed the number of pages of the opening brief to which it responds.

The parties require the extra pages because of the complexity of the undisputed material facts, the number of grounds for summary judgment to be raised, the necessity of presenting the fact patterns relevant to individual bellwether cases, and the fact that the bellwether defendants intend to present distinct factual and legal arguments in support of summary judgment.

Respectfully submitted,

Alan Schoenfeld  
Co-Lead Counsel for Defendants

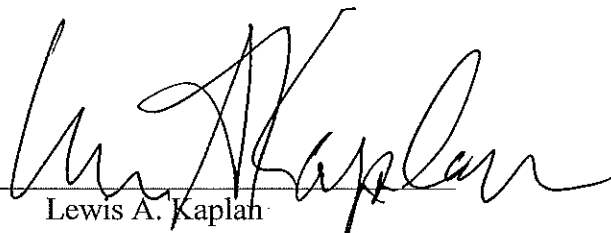
Memorandum Endorsement      In re Customs and Tax Admonistration, etc., 18-md-2865 (LAK)

The application for excess pages is granted.

In view of the extraordinary size of the proposed submissions, the Court will hold a conference via Teams with lead counsel in the relevant cases to discuss the possible submission to chambers (in addition to filing on CM/ECF) in electronic form in PDF format of all submissions with all references to cases and other legal authorities, as well as all references to 56.1 statements and evidentiary material, hyperlinked to the cited materials, the cited materials also to be in PDF format. The Court in the first instance delegates to Messrs. Weinstein and Schoenfeld the tasks of determining which counsel will participate in the conference, proposed suitable dates and times for holding it, and scheduling the conference with Mr. Mohan. The Court would appreciate counsel contact Mr. Mohan for this purpose by May 2, 2022.

SO ORDERED.

Dated:            April 22, 2022

  
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Lewis A. Kaplan  
United States District Judge